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ABSTRACT

State policymakers will want to make clear the intent of a policy on choice when they write their legislative bills. The purpose for the policy will help parents, students, educators, and the general public understand their action and the reasons for the action. This study discusses 11 issues included in legislative bills and gives a brief summary of the law on choice in 8 states: Minnesota, Nebraska, Iowa, Arkansas, Ohio, Idaho, Washington, and Utah. Issues for which the legislators may provide direction include the following: (1) reasons for choosing another school, i.e., academics, athletics, performing arts, special education, other; (2) desegregation; (3) space; (4) timelines; (5) provision of transportation; (6) voluntary or required participation by district; (7) state aid and local levies in dollars; (8) information for parents and students; (9) counseling of parents and students; (10) evaluation and data collecting mechanisms; and (11) grievance board for parents. (32 references) (MLF)

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School Choice: Issues and Answers

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School Choice: Issues and Answers

Introduction

Restructuring of the educational system in the late 80s and early 90s includes school choice. The concept of parents and students as consumers of education became public policy in eight states. Parents are given a substantive role in the decision-making process. They can choose learning environments which match the educational needs of their child (Randall, 1990).

Intent of Policy

State policy makers will want to make clear the intent of a policy on choice when they write their legislative bills. The purpose for the policy will help parents, students, educators, and the general public understand their action and the reasons for the action.

A number of issues about choice can be dealt with at the state level by giving direction in the bill. This makes it simpler if it is necessary for the state board of education to promulgate rules, or the state department of education to provide assistance in implementing the policy, and for local boards of education and superintendents in carrying out the policy.

Issues for which the legislators may provide direction include the following.

Issue I: Reasons for Choosing Another School, i.e., Academics, Athletics, Performing Arts, Special Education, Other

What are the reasons for being able to choose another school, i.e. academics, athletics, performing arts, special education, or any other purpose? Since taxpayer dollars are designated for education is every program paid for by education dollars a reason for choosing another school? If not, why not?

Eight States: The Law and Its Interpretation

In Arkansas "the General Assembly finds that the students in Arkansas' public schools and their parents will become more informed about and involved in the public educational system if students and their parents or guardians are provided greater freedom to determine the most effective school for meeting their individual educational needs. . . ."

"The General Assembly further finds that giving more options to parents and students with respect to where they attend public school will increase the responsiveness and effectiveness of the State's schools since teachers, administrators, and school board members will have added incentive to satisfy the educational needs of the students who reside in the district" (Arkansas House, 1989, p. 1).

Students can transfer to another school for any reason in Iowa. The law states, "It is the goal of the general assembly to permit a wide range of educational choices for children enrolled in schools in this state and to maximize ability to use those choices. It is therefore the intent . . . to maximize parental choice and access to educational opportunities which are not available to children because of where they live" (Iowa Senate, 1990, p. 1).

In Idaho students may transfer and attend a selected school "whenever the parent or guardian of any pupil determines that it is in the best interest of the pupil to attend a school within another district" (Idaho Senate, 1990, p. 36).

In Minnesota "the School District Enrollment Options gives families the opportunity to select the best educational experience for their sons and daughters. All public school pupils are eligible to apply to a public school or program outside the district in which they live" (Minnesota School District, 1990, p. 1).

"Postsecondary Enrollment Options (in Minnesota) allows juniors and seniors in high school to take courses, full- or part-time, at a liberal arts, community, or technical college, or a university, for high school credit" (Minnesota Postsecondary, 1990, p. 1).

"The High School Graduation Incentives program (in Minnesota) is designed to encourage students who are not succeeding in the traditional high school or who have dropped out of school to choose from a variety of nontraditional education programs to complete their high school education. This program has been expanded to include *elementary* students who are determined by the district to be at risk of not succeeding in school" (Minnesota High School, 1990, p. 1).

In Nebraska the law reads, "The Legislature hereby finds and declares that parents and legal guardians have the primary responsibility of ensuring that their children receive the best education possible. In recognition of this responsibility, the Legislature intends to provide educational options for parents and legal guardians, when deciding what public school or public school district is best for their children, by allowing them to consider the following factors, including, but not limited to:

(1) the size of the schools and school districts in the area;

(2) the distance children have to travel and the ease and availability of transportation;

(3) the course offerings and extracurricular offerings of the schools and school districts in the area;

(4) the quantity and quality of the staff at such schools and school districts; and

(5) the performance of the school district on any indicators of performance established by the State Department of Education" (Nebraska Legislative, 1989, p. 1).

In Nebraska, "the options shall be available only once to each student prior to graduation unless the student relocates in a different resident school district" (Nebraska Legislative, 1989, p. 2).

In Ohio rules promulgated for interdistrict open enrollment programs state "two or more adjacent school districts may, by the adoption of identical resolutions prior to the school year which begins July 1, 1993, enter into an agreement to permit interdistrict enrollment among the students of the districts" (Ohio Rules, 1990, p. 1).

In Utah the law states "there is established an enrollment options program to enable any student to attend a school or a program in a district in which the student does not reside" (Utah Public, 1990, p. 762).

In Washington the law requires both districts to agree if a student can transfer. Previous law allowed transfers for educational, health or safety, or financial reasons. Additional reasons for transfer are accessibility to parent's place of work or childcare (J. McMinn, personal communication, December 13, 1990).

In Arkansas students are not eligible to participate in athletics for one year (S. Streett, personal communication, November 14, 1990). Idaho law states "no pupil shall gain eligibility to participate in extracurricular activities in violation of policies governing eligibility as a result of an enrollment options transfer to another school district" (Idaho Senate, 1990, p. 36). In Iowa transfers in grades 9, 10, 11, 12 have to wait one year to participate in athletics. Exceptions are whole grade sharing where the entire student body of a certain grade transfers to another school or if the sport is

not available in the home district. (D. Bechtel, personal communication, October 24, 1990).

In Minnesota, (P. Hunter, personal communication, December 12, 1990) Nebraska, (A. Warner, personal communication, December 10, 1990) and Washington (J. McMinn, personal communication, December 13, 1990) the state activities associations are responsible for governance of participation of athletes and fine arts performers if students transfer to other districts.

Utah law states, "The board, in conjunction with the Utah High School Activities Association, shall establish policies to penalize any school official or employee who attempts to recruit a student athlete under the options program" (Utah Public, 1990, p. 763).

Response: Athletics and Performing Arts

The potential of athletic and performing arts recruiting raised many questions in Minnesota. The Minnesota State High School League expressly forbids recruiting, is responsible for monitoring the domicile of athletes and performers, and takes appropriate action if there are violations.

Many high schools are well known for the quality of their sports or performing arts programs. Credit often goes to the coach or director for having top teams and performers year after year. It is unlikely that students will choose to move from these schools if they are involved in sports or the arts. Students who want to move to these schools will have to abide by the space and desegregation requirements.

Students who do not believe they will play on the varsity teams may choose to move to a smaller school where their chances are greater for playing. The smaller school athlete might then choose to go to an even smaller school. In Minnesota students could play for other schools under the pairing-sharing cooperative agreements. Students might travel to one district for wrestling,

to another for football, and to a third for volleyball. In one instance a Minnesota school and a Canadian school formed an international hockey team with players from each country. The regulatory bodies of the state and province approved the arrangement.

Pro

Since choice empowers parents and students they should be able to exercise that power for any reason. If they believe the student will have a higher quality of education and his/her needs will be met to a greater degree in another school, they should be able to make that decision.

On the pro side it could be argued that children are not chattel and are not "owned" by anyone (C. Rumpel, personnal communication, December 12, 1989). Another argument for choice for athletes is that individuals who have opportunities to excel when playing stronger teams may have a better chance of receiving a college scholarship.

Con

If the "good for all" takes precedent over the "good for the individual" then parents and students should not be able to use their power to make a decision for themselves. One must assume then the elected local board of education and superintendent can better determine the "good for all". If it is determined that a student should not be able to enter another school district, that determination does not allow the individual to make his/her own decision.

Coaches may argue that students should not be allowed to enter or leave a district. If a coach has worked with parents in athletic associations and built a feeder system for the sport he/she coaches, a relationship with parents is built as well as helping young children develop their talent. The coach may believe that he or she owns the program and the athletes who

participate. To have students enter athletic programs from outside the district throws this situation out of sync.

The Debate

The debate over reasons for choosing another school really is a matter of the "good for the individual" or the "good for the group." The decision depends on the values of the people making the decision (Association for Supervision and Curriculum Development, 1990, p. 32). The other major pro and con issue is who should have the power: the parent and the student or the local board and the superintendent.

Issue II: Desegregation

How can desegregation be maintained and still provide opportunities for all students to choose their school? What state or local policy needs to be set? Should children of color be able to choose another school if white children cannot choose? Is it possible for all children to choose other schools if the administration of the desegregation program and the administration of the choice program is done in a careful manner for each district?

Eight States: The Law and Its Interpretation

The Arkansas law states "The General Assembly therefore finds that these benefits of enhanced quality and effectiveness in our public schools justify permitting a student to apply for admission to a school in any district beyond the one in which he resides, provided that the transfer by this student would not adversely affect the desegregation of either district" (Arkansas House, 1989, pp. 1-2).

Nebraska law states, "A school district that has a desegregation plan adopted by the school board or other board of education or ordered by the federal court may limit the number of students who transfer into or out of

their school district" (Nebraska Legislative, 1989, p. 4). Specific standards for acceptance or rejection shall be adopted "to facilitate the school district's desegregation plan and maintain or improve the integration of the school district" (Nebraska Legislative, 1989, p. 4).

In Ohio "each school district adopting an interdistrict open enrollment policy allowing the enrollment of adjacent school district students tuition free . . . shall be required to include . . . procedures to ensure that appropriate racial balance is maintained in the district schools" (Ohio Rules, 1990, p. 3).

In Iowa, (D. Bechtel, personal communication, October 24, 1990) Minnesota, (P. Hunter, personal communication, December 12, 1990) and Washington (J. McMinn, personal communication, December 13, 1990) the law indicates that racial balance or desegregation must be maintained. Idaho (E. Eberharter-Maki, personal communication, December 13, 1990) and Utah (D. F. Bates, personal communication, December 10, 1990) do not have any districts under desegregation order or rule.

Response: Equal Educational Opportunities

Choice has enhanced equal educational opportunities for all children. Affluent families have always had choice. If they chose to do so the wealthy could buy a house in a district where they perceived the schools to be the best or they could pay tuition to a district so their children could attend there. They could use their money to send their children to private or parochial schools.

Middle income and low income families have not had their choice of schools. Their children had to attend school in the district of residence. The district might be spending $3500 per pupil or $7500 per pupil depending on the willingness of the taxpayers to vote additional taxes through a

referendum. The child in the district where less was spent did not have equal educational opportunity. Class sizes might be higher, fewer electives could be offered, less support staff would be available, lower salaries would be paid to teachers and other staff. Now, through choice, parents can make a decision to send their child to a different district.

Since the policy is controlled choice (choice policy with some restrictions) it is possible the child still cannot attend a different district. In Minnesota the restrictions are in the number of available spaces determined by the local board of education and in the decisions made by administrators of the desegregation plan in the three districts under state board of education rule. (In Minnesota the State Board of Education promulgates rules for desegregation. There are a number of components to the rule but the one which applies in this situation is that a single school cannot have more than 15% minority students above the average number of minority students in the entire district). Over 30 districts in Minnesota have over 10% minority students, but only three districts are under the rule. These three, Minneapolis, St. Paul, and Duluth, have concentrations of minority children in some schools whereas in the other 27 districts the minority children are dispersed in schools throughout the district due to family living patterns.

Administration of the choice plan in the three districts under desegregation rule could make it possible for both white children and children of color to choose other schools. Since parents are mobile the number of minority and white children changes from year to year in any given school.

Pro

Desegregation whether by court order, State Board of Education, or some other legal manner must be maintained. It is the law of the land and must be obeyed as are the other laws of our country.

Con

Even though the law maintains that districts must be desegregated there are many large cities which have a heavy majority of children of color with little or no evidence of desegregation with white students. They may be in litigation or appeal courts but the fact is that many children are not being educated in desegregated schools.

The Debate

The debate over the maintenance of desegregation is whether the federal law should be strictly obeyed or whether there is the opportunity for waffling as appears to be the practice in some districts.

Issue III: Space

How should availability of space be determined? by district? by school? by program? by class? Should districts reopen schools that were closed during a decline in student population? Should districts rent space other than the traditional school building? Should districts be able to state they will admit only a minimal number of students when in fact they have space to enroll a larger number of students who might choose to attend there?

Eight States: The Law and Its Interpretation

Arkansas law requires that districts "adopt, by resolution, specific standards for acceptance and rejection of applications. Standards may include the capacity of a program, class, grade level, or school building. . . . Standards may not include an applicant's previous academic achievement, athletic or other extracurricular activity, handicapping conditions, English proficiency level, or previous disciplinary proceedings" (Arkansas House, 1989, p. 2).

Idaho law is similar in stating that each district must have "written policy guidelines, adopted by the board of trustees, which define hardship

impact upon the district or upon an individual school within the district. The policy shall provide specific standards for acceptance and rejection of applications for accepting out of district pupils. Standards may include the capacity of a program, class, grade level or school building. Standards may not include previous academic achievement, athletic or other extracurricular ability, handicapping conditions, or proficiency in the English language" (Idaho Senate, 1990, pp. 36-37).

Iowa, (D. Bechtel, personal communication, October 24, 1990) Minnesota, (P. Hunter, personal communication, December 12, 1990) Nebraska, (A. Warner, personal communication, December 10, 1990) and Ohio (J. Van Keuren, personal communication, October 24, 1990) laws are similar to those of Arkansas (J. Fincher, personal communication, December 10, 1990) and Idaho (E. Eberharter-Maki, personal communication, December 13, 1990). Utah (D. F. Bates, personal communication, December 10, 1990) and Washington (J. McMinn, personal communication, December 13, 1990) law are silent on the matter of space.

Response: Access

Access to schools in choice programs in Minnesota is dependent on amounts of space designated by the district and the need to maintain desegregation. A district which has limited space for students in its facilities could find ways to provide additional space. Schools which were closed during declining enrollments could be reopened; districts could rent space in available buildings in the district or an adjoining district. Districts could develop collaborative arrangements with business and industry and secure space in buildings owned by them.

Access for geographically isolated students is a concern. In Minnesota ninety-two per cent of the students live within fifteen miles of another high school. In rural areas travel time for a fifteen mile trip is not much greater than travel across town in a metropolitan area.

Admission must be by lottery or in some other way which gives equal opportunity to all applicants regardless of ability, achievement, race, ethnicity, gender, values, or behavior.

With choice, districts continue to set pupil/teacher ratio, determine class size, and arrange for programs. Decision making may be by the local board of education, the superintendent, principals, teachers, and/or parents. Parents whose children are moving into the district should be included in decision making just as parents who reside in the district are included.

Pro

Districts can determine how many additional students they want to serve. They can make the determination of class size, student teacher ratio; support services; facilities availability; facilities utilization; willingness to find and open new or different space; desire to leverage present organizational patterns, desire to change organizational patterns; desire to have only a few additional students, desire to have many additional students, and the like.

Con

Giving districts the power to determine availability of space could lead to a district stating only a few spaces are available when in fact there could be many.

<u>The Debate</u>

The debate over availability of space is participation in choice "in good faith" or participation only to "the letter of the law."

Issues IV: Timelines

What timelines should be set for a student to notify a school district that he/she chooses to attend another school, for action by the district chosen by the student? Should timelines be flexible by action of the local policy makers, or written into law by the state legislature? Do rigid timelines deter students from making choices? If timelines require decisions nine or ten months prior to attendance at the chosen schools, is choice so regulated that students with special circumstances cannot take advantage of choice?

Eight States: The Law and Its Interpretation

In Arkansas (J. Fincher, personal communication, December 10, 1990) students must apply by February 1 of the year in which they would begin the fall semester at the nonresident district. The district which receives the application must notify the parent or guardian and the resident district within 60 days of acceptance or rejection of the application. Reasons must be given, in writing, if the application is rejected.

Applications in Idaho (E. Eberharter-Maki, personal communication, December 13, 1990) are done on an annual basis, the accumulative record of the pupil must accompany the application, and it must be done on a form provided by the department of education. Applications must be submitted by February 1 to the receiving school district with the home district being notified. The receiving district must notify the applicant within sixty days and, if denied, must include written explanation of the denial. Deadlines for application may be waived by mutual agreement of the two boards.

In Iowa, (D. Bechtel, personal communication, October 24, 1990) parents must apply by October 30 of the year preceding the transfer. A commitment must be made on the part of the parent for four years and up to 13 years. If later they want out of the receiving district they must petition the district.

The resident district can hold the applications until November 30 but the receiving district must respond by December 30.

In an Iowa district under desegregation rule parents can apply until July 1. During 1989-90 the district could cap transfers at 5% of the students; in 1990-91 districts could cap transfers at 10% of the students. There were no caps for 1990-91 (D. Bechtel, personal communication, October 24, 1990).

In Minnesota (P. Hunter, personal communication, December 12, 1990) application must be made by January 1 for the next fall for the open enrollment program. The nonresident district must accept or reject the application by February 1. The parent or guardian then must confirm attendance by February 15. Once confirmed the student must attend the new district for one year.

In the Minnesota postsecondary enrollment options program counselors or principals are required to provide information to sophomores and juniors by March 1. Students are requested to let a counselor or principal know by March 30 if they desire to participate in the program but they are not bound by the March 30 deadline (P. Hunter, personal communication, December 12, 1990).

There are no timelines for admittance to the high school graduation incentives program in Minnesota (P. Hunter, personal communication, December 12, 1990).

In Nebraska applications are due to the "option school district, the resident school district, and the state department of education by January 1 for enrollment during the following and subsequent school years. The application shall set forth in detail the substantial educational opportunity to the option student in the option school district that is unavailable in the resident school district" (Nebraska Legislative, 1989, p. 3). The option

school district must reply by April 1. If the application is rejected, the reason must be given in written form (Nebraska Legislative, 1989, p. 3).

In Ohio "each school district adopting an interdistrict open enrollment policy allowing the enrollment of adjacent school district students tuition free . . . shall be required to include . . . the following provisions:

(a) a district-wide timeline for parental information, the application process, and notification of student acceptance. . ." (Ohio Rules, 1990, p. 3).

In Utah (D. F. Bates, personal communication, December 10, 1990) the application on a state office of education form must be submitted by January 1 for initial enrollment beginning the following school year. The receiving district must notify the parent by February 1. If an application is rejected, a reason shall be given in writing. The parent must confirm attendance in the receiving district by February 15 and the student must then attend for a full year.

In Washington the law says, "All districts accepting applications from non-resident students for admission to the district's schools shall consider equally all applications received. Each school district shall adopt a policy establishing rational, fair, and equitable standards for acceptance and rejection of application by June 30, 1990" (Washington Second, 1990, pp. 1792-1793).

The law further states that "the district shall provide to applicants written notification of the approval or denial of the application in a timely manner. If the application is rejected, the notification shall include the reason or reasons for denial and the right to appeal. . ." (Washington Second, 1990, p. 1793).

Response: Required Timelines

Superintendents insisted that timelines be set early in the preceding year for students who wanted to choose another school. Their argument was that it was too difficult to plan their budgets and their staffing for the following year unless they knew how many students would be attending their schools.

Teachers who would be part of a reduction in force have to receive notice by April 1 that they will not be teaching at the opening of school in the fall of that same calendar year in Minnesota. Only Minneapolis, St. Paul, and Duluth School Districts can reduce the force of teachers during the school year if there are changes in the student population.

State aid dollars average more than 62% in Minnesota. The poorest district as measured by property wealth receives over 95% of its revenue from the state. The four most affluent districts as measured by property wealth receive no state aid (T. Melcher, personal communication, January 15, 1991). Superintendents wanted to be able to plan ahead and still be assured of the amount of state aid dollars for which their district was eligible.

In practice the question was moot for most districts, particularly the larger ones. Students move in and out throughout the year due to parent mobility in jobs and housing. If students had the opportunity to choose another school at any time prior to the beginning day, the effect would be much the same as for students who enter or leave the school due to their parents' mobility.

Pro

By establishing timelines where decisions must be made months prior to the actual attendance at the school of choice, superintendents have a lengthy period of time in which to plan for fewer or additional students. Counseling of students and their parents can be scheduled in a more leisurely manner.

Con

By requiring timelines far in advance of the student's actual attendance in the school of choice, some students may be deterred from making a move. Students' personal lives change as do their dispositions about school and learning. Some students may wish to move to a different school but then change their minds and want to stay in their district of residence. With lengthy advance timelines students lose their power to make a decision based on changes in their lives. They must rely on the superintendent and local board to allow them to change. Education officials in colleges and universities do not have long advance timelines and are able to plan effectively.

The Debate

The debate over timelines, especially those of lengthy advance notice, are a matter of convenience for the district's officials who say they need extended time for planning. They are not established for the convenience of students.

Issue V: Provision of Transportation

Should transportation policies in a district be expanded to include students who choose other schools? Should all students receive transportation? or should only low income students? Are federal guidelines for free and reduced price lunch viable for determining who receives transportation? If so, are students who live in families where income is just above the federal guidelines precluded from involvement in choice programs? Should there be equity in transportation for all children?

Eight States: The Law and Its Interpretation

In Arkansas, "the responsibility for transportation for a nonresident pupil shall be borne generally by the pupil" (Arkansas House, 1989, p. 2). However districts can transport students in both the resident and nonresident districts if it is agreeable with both districts and the parents. Students

who are transported can be counted in the district's calculations for transportation funding.

In Idaho, (E. Eberharter-Maki, personal communication, December 13, 1990) parents must provide their own transportation as districts are not allowed to incur any additional expense. If the receiving district has a bus with space on a regular route the parent can transport the child to that location and the child can then ride the bus.

In Iowa, (D. Bechtel, personal communication, October 24, 1990) it is the parent's responsibility to get the child to an established bus route in the receiving district. If parents are 160% below the Federal poverty guidelines the resident district can bus the child to the receiving district or pay the parent. The parent will receive no more than the average amount to transport a student in that district (statewide average is $240 per year).

In Minnesota, (P. Hunter, personal communication, December 12, 1990) the nonresident district may pick up students in a resident district if the resident district agrees. If the parent says there is a hardship, the commissioner of education can rule that the nonresident district can pick up the student regardless of resident district consent. Otherwise it is the parent's responsibility to get the child to the border of the receiving district unless the parent's income meets Federal low income guidelines. The legislature has allocated money for transportation for these children.

In Nebraska, (A. Warner, personal communication, December 10, 1990) the parent or legal guardian is responsible for transportation. If the child is on free or reduced price lunch parents can receive sixty cents a mile once a day, one way if they live over four miles distance from the school.

In Ohio, (J. Van Keuren, personal communication, October 24, 1990) districts do not have to set up special buslines. Students are allowed to ride within their own district. Students on free and reduced price lunch can

apply for reimbursement to contiguous districts (average state transportation cost is $141 a year.)

In Utah, (D. F. Bates, personal communication, December 10, 1990) transportation is optional on the part of the district. In Washington, (J. McMinn, personal communication, December 13, 1990) the law authorized a study regarding transportation outside of the school district.

Response: Transportation

In Minnesota transportation to the border of the receiving district is provided by the parents. The receiving district provides transportation from that point. The legislature made allowance for low income students by setting aside $50,000 a year for transportation. In the first year of choice only $26 was used; in the second year $360; and in the third year, $8,805 was expended (L. Schroeder, personal communication, December 12, 1990). Concerns were raised that low income parents didn't know about the resources for transportation and hence did not apply for them. By the third year there was significant change.

Low income is measured by the federal guidelines for free and reduced price lunch. Children just above that cut-off could very well have problems with transportation to a school of choice.

Pro

If transportation is provided by the state or the district when children attend school in the resident district, they should be entitled to transportation to their district of choice. If the money for transportation is provided by the state, the state's obligation is the same regardless of where the student attends school. Since the parent is a taxpayer and other taxpayers in the district are supporting education, the district's share of transportation money should be used for the child.

The district of residence could provide the transportation within its boundary lines and the district of choice could provide transportation within its boundaries. It is likely transportation routes for other students would be similar to the routes needed by the student choosing a different district. Therefore, there would be very little additional cost. A seat would have to be reserved on the bus for the student choosing another district. To provide for equity in choice programs, transportation needs to be provided for all students. Otherwise low income children and some middle income children may be unable to travel to the district of choice.

Con

Transportation costs are very high and account for the expenditures of a large portion of education dollars. To add additional dollars in any amount for transportation takes potential dollars from other education uses. This money could benefit many students rather than a few.

The Debate

The debate over transportation is a question of equity in transportation for students who choose another school. It is also the question of the "good for the individual" versus the "good for the group" in the expenditure of dollars.

Issue IV: Voluntary or Required Participation by District

Should local policy makers, i.e. local boards of education, be given the option of determining whether the district participates in a choice program? Should the participation of districts be phased? What is the advantage to the student if the participation is phased? to the district? What other policies might be determined by the legislature to make it possible for the smaller districts to provide programs with greater rigor and variety? Would such changes be cost-effective? What is the role of technology, i.e., telecommunications

and computers, in bringing about change in districts? If programs have greater variety and rigor in smaller districts, will fewer students choose to attend school in another district? Does giving smaller districts, and indeed all districts, time to improve programs prior to participation in choice bring about the desired result of the legislation, i.e., the higher quality of education and improved learning systems? Is this use of incentives and opportunities the ideal way to bring about change?

Eight States: The Law and Its Interpretations

In Arkansas, (S. Streett, personal communication, November 14, 1990) choice was voluntary for district participation in 1990-91. Local districts had to vote not to participate, otherwise they were automatically participants.

In Idaho, (E. Eberharter-Maki, personal communication, December 13, 1990) the law was passed in 1990 and will go into effect in the fall of 1991.

In Iowa the law was passed in 1989. Requests for transfer to other districts "is for a period of not less than four years unless the pupil will graduate, the pupil's family moves to another school district, or the parent or guardian petitions the receiving district for permission to enroll the child in a different district within the four-year period" (Iowa Senate, 1989, p. 2).

In Minnesota postsecondary options enrollment act was passed in 1985, and effective that fall. High school graduation laws were passed in 1987 and effective in the fall of 1987. The open enrollment law was passed in 1987 and phased in over a period of four years. In 1987 and 1988 open enrollment was voluntary for all districts, in 1989 all districts with 1,000 or more students had to participate, and in 1990 all districts in the state were required to participate. Districts could vote not to participate in 1987 and 1988.

In Nebraska, (A. Warner, personal communication, December 10, 1990) the phase-in period was also for four years. In 1990 both the resident and option district had to agree to participate. In 1991 the resident district had to participate until more than five percent of the students chose to attend other schools. Option school districts could choose whether or not to participate. In 1992 the same provisions hold except that at least ten percent of the students can choose to attend option districts. In 1993 the enrollment option program must be implemented for all school districts.

In Ohio local boards of education must adopt a resolution prior to July 1, 1993, "which either entirely prohibits the enrollment of students from adjacent districts or permits the enrollment of students. . ." (Ohio Rules, 1990, p. 1). Two or more adjacent school districts may enter into an agreement to permit interdistrict enrollment among the students of the districts (Ohio Rules, 1990, p. 1).

The open enrollment program in Utah is effective January 1, 1991 and is "totally voluntary" (D. F. Bates, personal communication, December 10, 1990).

In Washington districts are not required to participate. Previous law allowed transfers for educational, health or safety, or financial reasons. Additional reasons, under the family choice law, are accessibility to parent's place of work or child care (J. McMinn, personal communication, December 13, 1990).

Response: Cooperative Efforts

Choice drives other changes. The choice policy brought about or enhanced cooperative efforts among many rural school districts in Minnesota. Demographics, in addition to choice, helped state and local policymakers make decisions which allowed small districts to use one of nine different public laws to change their structure and delivery of learning. A list of the nine

initiatives which are used by contiguous districts or in regional settings include:

1. vocational education and special education cooperatives for delivery of instruction;
2. pairing and sharing for academic work and extra curricular activities;
3. interdistrict cooperative aid and levy for academic subjects;
4. Educational Cooperative Service Units for cooperative buying, management assistance, curriculum and staff development, risk management, school facilities inventory;
5. consolidation for governance, administration, staff, and students of one or more schools;
6. technology cooperatives for delivery of instruction, staff development, hardware and software evaluation, interactive television;
7. capital improvement aid and levy to construct new school facilities for two or more districts which combine to provide a critical mass of students;
8. education districts for curriculum and staff development, delivery of instruction, regional collective bargaining, and financial entity; and
9. cooperative-combination districts for administration, governance, teaching and learning, and sharing of financial resources.

The changes in educational opportunity for students in rural areas are significant. Some of the initiatives were in place prior to the policy on choice, but the need of local boards, superintendents, and principals to enhance learning encouraged them to use the policies to make the changes.

Choice brought about changes in facilities in Minnesota. Parents became aware of differences in buildings in districts and demanded changes. An

inventory of all buildings and facilities will ultimately result in remodeling of the infrastrucure (N. Chaffee, personal communication, November 13, 1990).

Choice policy did not affect the locus of payment for handicapped students in Minnesota. Laws prior to the choice legislation required local districts to be responsible for the costs of special education for children who resided in the district regardless of the location of the school they attended.

Minnesota law provides for additional state aid dollars for students in a district if there is a critical mass of children whose parents are low income. Chapter I monies from the federal government are used to provide assistance to children in reading and mathematics. Criteria for Chapter I dollars requires low achieving low income children to be served.

Pro

Voluntary participation by districts in choice programs allows local boards advised by a superintendent the opportunity to assess their beliefs about education for *all* children, the extent to which the district is providing education for *all* children, and the extent to which the district is responsive to parents and students. It then allows district officials to make changes if they are not satisfied they are providing for the needs of all students.

Voluntary participation also allows smaller districts to determine how they can change to meet the wishes and desires of parents. They may choose to participate in telecommunication projects with other districts or institutions so they can add quality and quantity to their offerings. They may choose to cooperate with other districts in sharing teachers or students or they might become a magnet school.

If the voluntary program provides for phase-in over a period of several years, districts could make substantial changes during that time. The changes could deter students from choosing another school or district.

Con

Required participation allows a student to choose another district immediately after the bill becomes public policy. It would speed up the processes considerably and students would not miss the opportunity to choose another school because of their age, grade, or phased-in plan. Districts would not have the opportunity to make changes in their organization, programs, or attitudes to respond to the parents and students.

The Debate

The debate over voluntary or required participation is essentially whether districts should have time to make changes in a phase-in period. Or whether any students by virtue of a certain grade or age should miss the opportunity to choose another school.

Issue VII: State Aid and Local Levies in Dollars

Should state policy makers, i.e., legislatures, specify the dollar amount that should follow the student to the district of choice? Should it be only state aid dollars? In states where this amount is minimal should there be an established state fund from which districts could draw to get an equal amount of dollars to spend for each student? If the state is responsible for the education of all children, is this fund a responsible way to insure an equitable amount is available for each student? Should local levies follow a student to a district of choice? If a parent is a taxpayer in the district of residence and contributes to the dollars collected through the local levies, should the local levies be used to educate the student regardless of where he/she attends school? What about the local levies on citizens and businesses of the district of residence which benefit all students who live

there? Should the student's share of those levies follow him/her to the district of choice?

Eight States: The Law and Its Interpretations

In Arkansas (J. Fincher, personal communication, December 12, 1990) state funds follow the student. Local taxes do not follow the student but the district will get equalization dollars from the state since there is a minimum guarantee for each student in the general funding formula.

In Idaho (E. Eberharter-Maki, personal communication, December 13, 1990) state money will follow the student. Local contribution stays in the local district. Because of the way the money is allocated a different amount of state money may follow each student.

In Iowa (D. Bechtel, personal communication, October 24, 1990) funding is keyed to the local district. State aid and local tax money both follow the student. The lower local rate of the two districts is used.

In Minnesota (P. Hunter, personal communication, December 12, 1990) state funds follow the student in open enrollment, high school graduation incentives, and postsecondary options. In the latter the funds are prorated if the student attends the postsecondary institution only part time. Local funds do not follow the student.

In Nebraska (A. Warner, personal communication, December 10, 1990) a total of $954,000 was allocated for the first year, 1990-91. The statewide per pupil cost or district cost, whichever is less, is paid. The money is prorated if there are not sufficient funds to pay the per pupil cost. Local funds do not follow the student.

In Ohio (J. Van Keuren, personal communication, October 24, 1990) the state allocates $2,636 per pupil even though the average cost per pupil is higher. Local funds do not follow the student.

In Utah (D. F. Bates, personal communication, December 10, 1990) the 1990 law provided 50% of the local money follows the student. Under an earlier law (1946) all of the local share follows the student.

In Washington (J. McMinn, personal communication, December 13, 1990) state dollars follow the student; local levies do not. A formula is used for the distribution of basic education dollars. The superintendent of public instruction was authorized to study "the method for the calculation of a transfer fee and an estimate of the state funds needed to pay any transfer fee and an estimate of the state funds needed to pay any transfer fee for low-income students. . ." (Washington Second, 1990, p. 1792).

Response: Funding

Funding for schools where students leave to attend another school and funding for schools where students choose to attend raises questions about adequacy, stability, and equity. It also promotes discussion of who is responsible for paying for education for the children and young people within a state. Is it the local taxpayers through property taxes? Or are *all* citizens responsible for *all* children who reside in the state?

Adequacy of funding must be related to the purpose of education. If we believe education is for the growth and development of the individual, for the promotion of citizenship, and for economic growth we can plan programs around these three purposes. Then we can attempt to determine if funding is adequate to achieve the wanted outcomes.

Stability of funding is strongest with the property tax; incomes vary with concomitant variance in the income tax people pay. Sales taxes, corporate, and other taxes also vary depending on the economy, the business climate, and other factors. The property tax, however, does not necessarily provide equitable funding. Some districts can be property poor, others property rich.

State legislatures may have school aid and levy formulas in place which help to provide equity. Choice may change the adequacy of money available in a district but choice is not the *cause* of dissimilar amounts of money available for students. This stems from the locus of responsibility, state or local government, and the actions of the policymakers in determining funding formulas based on specific taxes. If funding was inadequate and inequitable prior to choice it will no doubt be the same whether students choose to remain in their district or go to another school.

Except for the excess levy referendums which districts can bring to the public within their boundaries, Minnesota has an equalized levy and state aid formula for elementary and secondary education. In recent years the Legislature passed expenditure budgets authorizing millions of dollars to pay for desegregation costs in Minneapolis, St. Paul, and Duluth. In so doing they psychologically and philosophically underscored the concept that the state, not the local district, is responsible for dollars for education for all of its children. Some people believe the concept should also apply to choice programs.

Pro

Since the state is responsible for all children, there should be no question of the state aid dollars following the student to a school of choice. The local levies are paid by taxpayers for the benefit of the residents of the district. Since the student is a resident, he or she should have the benefit of those taxes as well. The proportionate share could follow the student to the district of choice.

Con

Since education is the responsibility of the state all of the dollars used to educate a student in a district of choice should come from the state. The state should have a central fund set up to pay the state aid plus the additional dollars needed to meet the average cost of the education in the district.

The Debate

The debate over state aid and local levies in dollars is the issue of the state being responsible for the cost of educating its students in a school of choice or the local levy from the district of residence following the student to the school of choice.

Issue VIII: Information for Parents and Students

What information should be provided by districts to prospective students? how should it be communicated? by whom? Where does accountability rest for assurance that all parents and students are knowledgeable about the policy and then about possible programs and schools? Where is the dividing line between providing information and recruiting students?

Eight States: The Law and Its Interpretation

In Arkansas (S. Streett, personal communication, November 14, 1990) the law is silent on providing information to parents about open enrollment. Information is sent to school districts from the department of education. The governor promoted open enrollment through public service announcements; newspapers carried stories about the program.

In Idaho (E. Eberharter-Maki, personal communication, December 13, 1990) the law is silent on the issue of providing information to parents. Annual applications for a child to attend a different school must be made on a form provided by the state department of education.

In Iowa (D. Bechtel, personal communication, October 24, 1990) no requirement was given in the law for informing parents. The state department of education was given no additional money for implementation; dealing with choice policy was an "add-on job." David Bechtel, special assistant to the director, said, "We ought to do more. At both the state and local level we should get good information to parents on how to make choices."

In Minnesota (P. Hunter, personal communication, December 12, 1990) information must be provided on the various options for choice. The department of education sends a press release to superintendents giving a brief description of all options. The press release can be reprinted and sent to local media or included in the district's printed communication. Public service announcements are used on radio stations in late summer announcing the many options for those who want to return to school. The department of education has held conferences and workshops for educators, agencies which work with parents, and community leaders. Notices about choice have been included with checks to low income families by the human services department.

In Nebraska (A. Warner, personal communication, December 10, 1990) the law is silent about providing information to parents. The state department of education issues brochures and maintains a hotline for parents and students.

In Ohio the rules promulgated by the department of education indicate that each district participating in the program must provide "a district-wide time line for parental information, the application process, and notification of student acceptance" (Ohio Rules, 1990, p. 3). The rules further require, that participating districts show "evidence of parental informational meetings" (Ohio Rules, 1990, p. 4).

In Utah the law stipulates that "a district that does not exclude nonresident students shall make information about the district, schools,

programs, policies, and procedures available to all interested people" (Utah Public, 1990, p. 762).

In Washington the law requires the superintendent of public instruction to "prepare and annually distribute an information booklet outlining parents' and guardians' enrollment options for their children" (Washington Second, 1990, p. 1794). The booklet must be distributed to all school districts. The districts are responsible for informing parents of the district's intradistrict and interdistrict enrollment options and parental involvement opportunities (Washington Second, 1990, p. 1794).

Response: Consumer Information

Providing consumer information to parents about schools is a challenge. The information should be accurate, easily understood, and comprehensive. Schools want to tell their story, emphasize their strong points, and share their successes. Parents are interested in this information but also want to know how individual children are treated and cared for, what provisions are made to assist individual children with personal and academic problems, what is expected of students, how teachers determine if students meet expectations, and how the school personnel communicate with parents and the general public.

Choice opponents fear recruiting via printed materials and raise the issue of truth in marketing. In Minnesota state law prohibits recruiting by the schools. In early surveys of the students who chose to move to other schools indications were that students heard about choice from their parents, school counselors, and the print and broadcast media. Students who move to other schools will soon know whether there is truth in marketing. Word of mouth will confirm what has been said or refute the information.

The local board of education and superintendent also have responsibility for quality control of all aspects of communication from the district. Board policies and past practice may be adequate to provide consumer information or

may need modification. In either event the superintendent leads the staff in providing consumer information.

Public information materials, whether print, audio tape, or video need to be produced in the languages spoken and understood in the school and community. This could mean a number of different languages for Asian-Americans, Hispanic-Americans, African-Americans, American Indians, and white children.

In 1990 the Minnesota brochure for parents was printed in Spanish as well as in English.

Special care must be taken to provide information to parents who are poorly educated or highly mobile. Organizations and institutions which have staff who serve these citizens may be able to assist in providing information to them. Or other one-on-one contact may have to be arranged.

In Minnesota a number of conferences and workshops are held for educators and parents about the choice options. A local foundation provided a grant to a university to hold a conference for professionals in the metro area. Over one hundred people of color and white people attended to focus on how parents could become better informed about choice (P. Hunter, personal communication, December 12, 1990).

The Minnesota Department of Education and the Urban Coalition invited 53 agencies who serve both white and people of color to attend a conference at a university center to discuss availability of information and how to reach parents and students in the metropolitan area about the choice options (P. Hunter, personal communication, December 12, 1990).

One scenario often painted by those who oppose parental choice is skimming of the "best" students and teachers for selective schools. The

scenario includes non-selected schools with fewer students with greater problems and less dollar resources.

The concept of "best" students is repugnant. All children are valuable and should be seen as individuals with potential. The idea that there are "best" students who are more wanted or more desirable is antithetical to the public school. The inference that parents of students with problems will not choose schools with adequate resources is demeaning to the parents. All human beings make choices of many kinds; parents certainly do. The parent who has a child with problems may need counseling and assistance in decision making but so may other parents. All parents should have access to counseling about the growth and development of their children and how to choose schools which will enhance the growth and development.

If there are schools with limited resources which can no longer function adequately for the children who attend, the school may have to close or the school may have to have new management. Some boards, superintendents, and principals are able to provide the governance and leadership necessary to provide superior education. If resources are limited they enter cooperative arrangements with other schools or districts or with the private sector. Or they may choose to become a magnet school or specialty school in an effort to attract students. Or they may reallocate the dollar resources. New management may make a difference.

Parental involvement increases dramatically, at least for those students who choose to move to another school. The parents must spend time gaining information about the school, considering their child's growth and development and particular needs, and conferring with school officials.

Parental involvement is usually one of three ways:

(1) working in the school as a volunteer;

(2) helping their own child with homework and preparation for school; or

(3) making decisions as a member of a site council, school or district advisory group.

Parents who want to be involved in any of the three ways will do so even though the distance may be greater and the school may be different. Parents seem to be tireless in events, activities, and decisions regarding their children.

Pro

Communication is valuable in any organization. Communication and information in choice programs is essential if parents are to choose wisely and well. Parents need to know about teachers, their styles, instructional strategies, use of texts, videos, tapes, computers, telecommunications, curriculum, administrators, support staff, support services, facilities, space, ambiance, vision and mission for the school as well as goals and expectations. This information is the same as that which should be provided to all students whether or not they are contemplating choosing another school.

Parental need for the tools to make wise decisions about their child's schooling must be met if choice is viable.

Con

If extra effort must be made to provide information to students interested in choosing another school, additional resources may have to be used. Both time and money may be needed to adequately and appropriately inform students interested in another district. Students and their parents may choose to visit a school consuming the time of the principal, counselors, and teachers and ultimately not choose that district.

The Debate

The debate over providing information to prospective students and their parents is a determination of the use of the resource of time. Should principals, counselors and teachers use their time to help parents understand and interpret information about the school district in which they are interested?

Issue IX: Counseling of Parents and Students

Should parents and students receive counseling prior to making their decisions? If so, by whom? When? In a formal or informal way? Which of these questions should be answered by the state policy makers? the local policy makers?

Eight States: The Law and Its Interpretation

In Arkansas the law is silent about counseling of students and their parents about choice options. The law is explicit about credits. It states, "a nonresident district shall accept credits toward graduation that were awarded by another district. The nonresident district shall award a diploma to a nonresident pupil if the pupil meets the nonresident district's graduation requirements."

In Idaho (E. Eberharter-Maki, personal communication, December 13, 1990) and Iowa (D. Bechtel, personal communication, October 24, 1990) the law is silent on counseling parents and students. In Minnesota (P. Hunter, personal communication, December 12, 1990), students must receive counseling from a counselor or other designated person in the school. Reasons for transferring to another school must be given on the form provided by the state department of education.

In Nebraska (A. Warner, personal communication, December 10, 1990) the law is silent about providing counseling on choice decisions. The law does state,

"An option school district shall accept credits toward graduation that were awarded by another school district. The option school district shall award a iipioma to an option student if the student meets its graduation requirements" (Nebraska Legislative, 1989, p. 5).

In Ohio (J. Van Keuren, personal communication, October 24, 1990) the law is silent about counseling parents and students on enrollment options.

In Utah the law states, "Before submitting an application, the student and student's parents or guardian shall explore with a school guidance counselor, or other appropriate staff member employed by the district the student is attending, the student's academic or other reason for applying to enroll in the nonresident district. The student's application shall identify the reason for enrolling in the nonresident district" (Utah Public, 1990, p. 762). The law also says nonresident districts must accept credits for graduation awarded by another district and nonresident districts must award a diploma to a student if graduation requirements are met (D. F. Bates, personal communication, December 10, 190).

In Washington (J. McMinn, personal communication, December 13, 1990) the law is silent on counseling parents and students on choice options but does state that "for the purpose of helping a district assess the quality of its education program, a resident school district may request an optional exit interview or questionnaire with the parents or guardians of a child transferring to another district. No parent or guardian may be forced to attend such an interview or complete the questionnaire" (Washington Second, 1990, p. 1792).

Response: Special Needs of Children

Parents who have children with special needs must understand entitlement programs.

Current federal law limits special services to disadvantaged children attending schools designated as entitlement schools. If an entitlement-eligible child transfers to a noneligible public school the money cannot follow the child. If the parents' philosophy about learning appears to be carried out in a different school than the one the child attends, the entitlement money should follow. To do so would take a change in federal law.

Pro

When parents and students are empowered and have new roles they have to learn how to use the power. In the matter of choice parents need to understand growth and development of their children and then which education programs enhance the growth and development. The question is who can best help parents know about and understand human behavior, actions and attitudes. Who can detect talents and abilities at an early age? and interest at a later age? The school counselor, principal, teacher, and sources outside the school can be of help.

Parents may also need assistance in decision making. When they understand the programs most suitable for their children, they must be able to find them in the schools. Schools, non profit institutions, or for profit organizations may provide information. Parents may need help in interpreting the information or validating it for themselves.

Con

School personnel have heavy schedules and work assignments. If they must add counseling for parents and students for choice they will have to eliminate some of their present workload or at least perform less of their present tasks. Such actions may bring complaints and charges that students are not being served as expected.

The Debate

The debate over counseling students and their parents becomes a matter of priority for use of time. Should counselors, teachers, and principals spend their time in giving parents information, helping them interpret, and advising them in making decisions?

Issue X: Evaluation and Data Collecting Mechanisms

What information is needed by the legislature for assessment of the policy? evaluation of the policy? How should data be collected? by the state department of education? by a neutral agency? What should be included in the information collected? number of students? grade levels? reasons for choosing another district? level of satisfaction? grades received? levies in the district? space used? effect on teachers? effect on support staff? effect on administrators? how students learned about choice programs? How information will be used by legislatures? by local boards of education? by others?

Eight States: The Law and Its Interpretation

In Arkansas (J. Fincher, personal communication, December 10, 1990) the law is silent on evaluation and data collecting mechanisms. A university professor is gathering information for a report.

In Idaho the law says, "The state department of education shall conduct an annual survey of districts participating in the enrollment options program to determine the number of participants, the number of denied applications, the effectiveness of the programs, and other relevant information, and prepare an annual report of the program" (Idaho Senate, 1990, p. 36).

In Iowa (D. Bechtel, personal communication, October 24, 1990) the General Assembly requires an annual report. Number of applications, profile of

students leaving the district, the number of appeals, decisions rendered, absenteeism and other data are to be included in the report.

In Minnesota (P. Hunter, personal communication, December 12, 1990) the United States Department of Education is funding and conducting a three-year study of open enrollment. A local foundation is funding a university fellow who is also conducting a study. Research on the effects of choice for students who are enrolled in the high school graduation incentives and postsecondary enrollment options programs will provide information on the number of dropouts who have returned to school, level of satisfaction, change in expectations and aspirations, and the like.

In the 1989 Nebraska law a section required the education committee of the Legislature to conduct a study of the open enrollment law. Input from educators and parents representing schools of all sizes within the state and data from other states with similar programs were to be included. Other issues to be studied included the following: improved educational opportunities for individual students, closing of smaller schools, improvement or deterioration of the educational quality of rural schools, recruiting of students with special skills and talents, deterioration of the financial base of rural schools, feasibility of offering transportation based on need, and concerns regarding racial integration. The report with its findings and recommendations was to be given by the committee to the legislature on or before January 1, 1990 (Nebraska Legislative, 1989, p. 7).

Also in Nebraska the state department of education must submit a report to the legislature on September 1 of each year from 1991 until 1995. The report includes information on the operation of the enrollment option programs over the previous year. Items included in the report are: number of students who applied, number of applications approved, education reasons listed for

transfer, number of student applications rejected and reasons, number of appeals regarding rejection of applications, number of appeals which were successful, which school districts participated, number of students from each district who transferred, any problems and suggestions for improvement, and any other pertinent data that would help the legislature refine the enrollment options program (Nebraska Legislative, 1989, pp. 6-7).

In Ohio "the department of education shall make an evaluation of selected districts adopting an interdistrict open enrollment policy before July 1, 1993. The evaluation will determine the effects or consequences of interdistrict movement of students" (Ohio Rules, 1990, p. 2).

The rules in Ohio also state "A school district that has adopted a resolution permitting adjacent district students to enroll, shall report, by the first day of September of each year, both the number of adjacent district students enrolled and the classes or grade levels assigned, to the superintendent of the student's native district. Students enrolling after said day shall be reported in a like manner" (Ohio Rules, 1990, p. 5).

In Utah (D. F. Bates, personal communication, December 10, 1990) evaluation is not required by the law. Performance data about children's achievement is gathered under existing legislation.

In Washington (J. McMinn, personal communication, December 13, 1990) the law is silent about evaluation and data gathering mechanisms.

Response: Evaluation

Assessment and evaluation of choice is as necessary as it is for all educational programs. In assessing the improvement of educational progress for children who choose to move or those who choose to stay it will be difficult to isolate choice as *the* factor for progress. It would be equally difficult to isolate any other one factor (Randall, 1989).

Areas such as parental satisfaction, student satisfaction, grades of students, student retention in school, college entrance, and jobs of students could be measured on an individual or group basis. Choice is one of the factors which could influence the outcomes of the assessment.

Choice proponents claim improvement in educational systems and in schools. They also document through surveys, higher levels of satisfaction on the part of students, parents, and teachers. Greater satisfaction will result in higher levels of learning; test scores then could be higher. Other measurements of performance of students could also be greater due to the higher level of satisfaction.

In Governor Perpich's Access to Excellence Plan (Perpich, 1985) he called for the Minnesota Legislature to authorize the department of education to develop learner outcomes, the standards which measure what a student should know and be able to do at various levels of their education. He also asked the lawmakers to authorize the development of instruments to measure outcomes at three grade levels.

It is essential that Minnesota students have higher levels and different kinds of learning just as it is for all students in the United States. In international comparisons the students in the United States often rank at the bottom or near the bottom of the list. Governor Perpich called on all of the governors to personally deal with the low levels of math and science competence of United States students in a column in the Governors' Weekly Bulletin on July 14, 1989. He said, in part, "Governors have taken the lead in educational reform in many different ways. Now it is time we lead our states to raise the level of achievement in mathematics, science, and higher order thinking."

"As we empower parents and students to make choices in educational programs and schools in our states, these parents and students need to know where the highest levels of math, science, and thinking are being taught and about the achievement levels of students attending those schools" (p. 2).

He also wrote (Perpich b, 1989) about the need for higher levels and different kinds of learning and hence, greater achievement in math and science in Time For Results: The Governors' 1991 Report on Education, a publication of the National Governors Association released each year at their annual summer meeting or later in the summer (National Governors, 1989).
Governor Perpich believes that choice drives other changes but in his 1985 speech called for seven other initiatives to accompany policy on choice (Perpich, 1985).

When he was asked about the benefits of the Postsecondary Enrollment Options Act, Robert J. Wedl, Deputy Commissioner of Education for the State of Minnesota, often made this statement, "Course offerings are expanded in every school district in the state without constructing one new school building, without buying one new school bus, and without hiring one new administrator or teacher" (Wedl, 1985).

Pro

Evaluation of choice programs will help legislators to determine if any changes need to be made in choice policy. Superintendents, principals, and teachers will be able to compare and contrast implementation in their districts and schools with others. Parents and students will also be able to check their opinions and attitudes about choice with the findings of the evaluator.

Con

Resources of dollars, time, and energy are needed for evaluation. If resources are limited, some other evaluation activity will have to be eliminated.

The Debate

Evaluation is generally recognized as necessary in any new endeavor. The major issue is the use of resources.

Issue XI: Grievance Board for Parents

Why should there be a grievance board for parents? What action should constitute a grievance? How should a grievance be handled? Should there be hearings? Who should be the final authority?

Eight States: The Law and Its Interpretation

In Arkansas (J. Fincher, personal communication, December 10, 1990) the state board of education is authorized to resolve disputes regarding transportation, credits, foundation aid, racial balance, and athletic eligibility.

In Idaho (E. Eberharter-Maki, personal communication, December 13, 1990) there are no provisions for a grievance board. In Iowa appeals can be made to the state board of education (Iowa Senate, 1989, p. 8). In Minnesota (P. Hunter, personal communication, December 12, 1990) the state board of education is the grievance board for disputes over the granting of credit.

In Nebraska (A. Warner, personal communication, December 10, 1990) grievances can be appealed to the state board of education. The state activities association is responsible for dealing with any problems with athletics.

In Ohio (J. Van Keuren, personal communication, October 24, 1990) parents can appeal rejection and ask for the reasons from the superintendent. They can also appeal to the state board of education.

In Utah (D. F. Bates, personal communication, December 10, 1990) the law is silent about a grievance board.

In Washington, the decision of a school district to deny the request for accepting the transfer of a nonresident student may be appealed to the superintendent of public instruction. The superintendent's decision could be appealed to the superior court (J. McMinn, personal communication, December 13, 1990).

Response: Grievance Board

Regardless of the care taken in implementing a policy and of the good will shown by educators, it is possible to have parents or students who are dissatisfied. They may feel that the interpretation of the law was incorrect or unfair. To have recourse they need to be able to go beyond the local board of education. A state level board or group could serve as a neutral grievance board reading documentation of the action and listening to testimony of those involved. Their ruling could be considered final depending on the nature of the grievance.

Pro

Parents need a grievance board if they have problems getting information, processing applications, enrolling their child in a school of choice, securing transportation, or for any other reason. The state board of education might that be that body in the states where there is one, or some other state entity might serve in the capacity of grievance board. Provisions should be made for parents to present their testimony and give their rationale for the

grievance. The other side should present testimony and their rationale for the action taken prior to the response from the grievance board.

Con

A grievance board is necessary but the issue of the board sitting at the state level is debatable. Some parents might have a difficult time traveling to the site of the board meetings. One grievance board of an already established institution would be less costly than establishing a new board.

The Debate

The debate over a grievance board for parents is essentially whether there should be a new entity established which would cost money or assigning the work of hearing grievances to an already established board.

Summary

This study discusses eleven issues included in legislative bills and gives a brief summary of the law on choice in eight states, Minnesota, Nebraska, Iowa, Arkansas, Ohio, Idaho, Washington, and Utah. Local boards of education and superintendents responsible for carrying out choice legislation are given assistance through information provided as a result of this study.

Administrators who are consulted by state legislators in the design and development of policy in states which do not yet have school choice can use the results of the study for guidance.

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